

## **REMARKS**

Upon entry of the present Amendment-B, claims 1, 3-5, 7-10 and 12-17 will be pending in the present application, of which claims 1, 5, 7 and 10 are independent. Claims 1, 5, 7, 10 and 12 have been amended; and new claims 16 and 17 have been added to further define additional aspects of the present invention. Claims 2, 6 and 11 have been cancelled without prejudice, while the limitations thereof have been incorporated into each of claims 1, 5 and 10, respectively.

The above-identified Office Action has been reviewed, the applied references carefully considered, and the Examiner's comments carefully weighed. In view thereof, the present Amendment-B is submitted. It is contended that by the present amendment, all bases of objection and rejection set forth in the Office Action have been traversed and overcome. Accordingly, reconsideration and withdrawal of the objection and rejection is respectfully requested.

### **Amendments**

In the above amendments: claims 1, 5 and 10 have been amended to incorporate subject matter of (now canceled) claims 2, 6 and 11 respectively, and to more particularly define the subject matter which applicant regards as his invention.

Claim 7 has been rewritten in independent form by incorporating subject matter of previously presented claim 5, and has been further amended to include additional limitations.

New claims 16 and 17 – similar to previously presented claims 8 and 9 – have been added to define additional aspects of presently amended claim 7.

Applicant respectfully submits that the above amendments are fully supported by the original disclosure including the drawings and that no new matter is introduced into the application by the above amendments. Accordingly, it is respectfully requested that the objections and rejections be reconsidered and withdrawn.

Applicant further respectfully submits that new claims 16 and 17 are fully supported by the original disclosure because these claims include subject matter corresponding to that of previously presented claims 8 and 9, and that no new matter is introduced into the application by these new claims.

#### Claim Objections

In the Office Action (item 1, page 2), the Examiner objected to claim 2 as being indefinite for failing to particularly point out and distinctly claims the subject matter which applicant regards as the invention.

#### *Applicant's response:*

Applicant has canceled claim 2 by the present amendment, and has otherwise modified the subject matter of claim 2 as now incorporated into claim 1 to include proper antecedent basis. Therefore, applicant respectfully requests withdrawal of the objection to claims 2.

#### Claim Rejections – 35 USC §102

In the Office Action (item 3, page 2), the Examiner rejected claims 1, 2-5, 8-10 and 13-14 under 35 USC §102(b) as being allegedly anticipated by Buchner (US 6,194,997).

#### *Applicant's Response:*

Upon careful consideration and in light of the above amendments, applicant respectfully submits that the rejection is overcome, and that present claims 1, 3-5, 8-10, 13 and 14 are patentably distinct over the disclosure of Buchner for several reasons, including those given below.

For example, Buchner fails to disclose the interrupting unit which interrupts a supply of power and the interrupting unit controller which permits a switching unit to supply power, as now required by each of amended claims 1, 5 and 10.

Further, each of claims 1, 5 and 10 also defines that the interrupting unit interrupts a supply of power to a receiving circuit inside the controller, that performs communication and which receives the request or acknowledgement signal in response to a request from the portable transceiver, while claims 1 and 10 also define that the interrupting unit interrupts a supply of power to a transmission circuit and a receiving circuit, inside the controller, that perform communication, and the transmission circuit outputting the request signal to the portable transceiver.

Still further, in the claimed invention, the interrupting unit controller is defined as a unit controller which permits a switching unit to supply power to the transmission circuit and/or the receiving circuit.

Such claimed interrupting unit and interrupting unit controller are not taught or suggested by Buchner. Rather Buchner discloses an antitheft system for a motor vehicle having an interior monitoring device 13, 14, 15 and a transceiver unit having transceiver antenna 4 which are intended to detect the presence of a person or of a key 9 in the interior of the motor vehicle and which are activated as soon as a door 5 is closed. In the system of Buchner, if a person is not detected in the interior, the doors 5 are automatically locked without the user having to undertake particular measures for that purpose (col. 4, lines 7-58).

Thus, claims 1, 5 and 10 are patentably distinct over the Buchner. Also, claims 3, 4, 8, 9, 13 and 14 are patentably distinct over the Buchner for the reasons provided in relation to claims 1, 5 and 10.

For all of the foregoing reasons, applicant requests consideration and withdrawal of the rejection of claims 1, 3-5, 8-10, and 14 under 35 USC § 102(b).

#### Claim Rejections – 35 USC §103

In the Office Action (item 5, page 6), the Examiner rejected claims 6, 7, 11 and 12 under 35 USC §103(a) as being unpatentable over Buchner in view of Desai (US 6,236,850).

It is the Examiner's position that it would have been obvious to a person of ordinary skill in the art to insert the Desai power saving invention into the Buchner electronic key system for the purpose of obtaining an interrupting unit that supplies power the receive circuitry in a pre-determined manner to save power.

#### *Applicant's Response:*

Upon careful consideration and in light of the above amendments, applicant respectfully submits that the rejection is overcome, and that present claims 7 and 12 are patentably distinct over the applied references for the reasons provided in relation to claims 1 and 10 hereinabove, which are not overcome by additional teachings of Desai; and for the reasons given below.

For example, applicant notes that Desai discloses an apparatus for remote convenience function control having a power control circuitry 62. However, as stated by the Examiner in the Office Action, the full ON mode is entered upon detection of a transmission signal 16 from a transmitter 14 to supply power to an appropriate circuit. With this mechanism, because the signal 16 may be transmitted anytime, a receive circuitry 56 have to wait (operate) at all times, so that the receive circuitry 56 is supplied with power at all times.

In contradiction thereto, in the electronic key system as recited 7 and 10, when the vehicle has not been started for a specified period of time, thereafter, it is possible to

significantly reduce power consumption during standby by stopping supply of electrical power to the transmission circuit and the receiving circuit relating to the communication until the activation switch is operated. Such features of the claimed invention, as described in relation to the disclosed embodiment of the invention on page 5, lines 8-12 of specification, are advantageous over the applied references.

Similarly, in the electronic key system as recited in amended claim 5, if the vehicle has not been started for a specified period of time, thereafter supply of electric power to the receiving circuit 44 is stopped completely until the activation switch 70 is turned ON, which makes it possible to significantly reduce power consumption when the system is in standby mode. Moreover, since communication is not carried out to external components (communication with the electronic key 12) while the specified activation switch 70 is not turned ON and since it is not easy to locate activation switch 70, the system is effective for theft prevention, as further detailed in on page 22, line 25 – page 23, line 9 of the specification).

Further, analogously, in the electronic key system according to amended claim 7, if the vehicle has not been started for the specified period of time, since electrical power is supplied to the receiving circuit 44 intermittently thereafter and until the activation switch 70 is turned on, it is possible to reduce power consumption when in standby.

The above-mentioned advantages are not achieved by the teachings of Buchner and Desai, whether considered singly or in combination.

For all of the foregoing reasons, applicant requests consideration and withdrawal of the rejection of claims 7 and 12 under 35 USC § 103(a).

### Other Matters

In the Office Action Summary, the Examiner indicated that none of certified copies of the priority documents have been received. Applicant respectfully submits that the present application claims the priority from an International Application No. PCT/JP03/12272 having a Filing Date of September 25, 2003; and a copy documents for claiming the propriety under 35 USC 119, i.e., PCT documents, were filed along with the submission of the present application in the USPTO on March 25, 2005. Applicant has confirmed the submission of the priority documents from private PAIR system at the USPTO website.

Further, applicant's representative called Examiner Amaya on June 22, 2006, to confirm the receipt of priority documents by the USPTO. During the telephone conversation, the Examiner confirmed that the priority documents were received by the USPTO; and the indication on the Office Action Summary that none of certified copies of the propriety documents have been received is an error, and the error would be corrected in next Office Action. Applicant thanks the Examiner for confirming the receipt of priority documents, and for extending the courtesy during the telephone conversation.

New claims 16-17, which are similar to claims 8 and 9, are believed to be patentably distinct over the references of record for the reasons provided in relation to claim 7.

### Conclusion

Applicant respectfully submits that all of the above amendments are fully supported by the original application. Applicant also respectfully submits that the above amendments do not introduce any new matter into the application. New claims 16-17 are also fully supported by the original application.

Based on all of the foregoing, applicant respectfully submits that all of the objections and rejections set forth in the Office Action are overcome, and that as presently amended, all of the pending claims are believed to be allowable over all of the references of record, whether considered singly or in combination. Applicant requests reconsideration and withdrawal of the rejection of record, and allowance of the pending claims.

A fee of \$200 for one independent claim in excess of three is being concurrently paid via EFS-Web during the transmission of this amendment electronically.

If any issues remain unresolved, applicant respectfully requests that the Examiner telephonically contact applicant's undersigned representative to expeditiously resolve prosecution of the application.

Favorable consideration is respectfully requested.

Respectfully submitted,



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**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence is being electronically transmitted, via EFS-Web, to the United States Patent and Trademark Office, on June 22, 2006.



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